

REMARKS

This is a complete response to the outstanding non-final Office Action mailed September 23, 2004. Upon entry of the enclosed claim amendments, claims 1 and 3 have been amended and claim 2 has been canceled herein. No new matter has been added. Claims 1 and 3-29 remain pending in the present application.

The Applicant traverses all of the objections and rejections of the Office Action. Applicant appreciates the Examiner's review of the above-identified patent application and respectfully requests reconsideration and allowance in view of the above amendments and following remarks.

I. Response to claim rejections based on anticipation

In the Office Action, claims 1, 4, 5, 11-13, 19 have been preliminarily rejected as anticipated under 35 U.S.C. § 102(e). Specifically claims 1, 4, 5, 11-13, 19 have been rejected under 35 U.S.C. § 102(e) by U.S. Patent No. 6,285,299 to King-DeBaun (hereinafter, "King-DeBaun").

A. Claim 1

Amended claim 1 now includes elements of dependent claim 2.

Claim 2 was deemed to contain allowable subject matter by the Examiner in the Office Action dated 9/23/04. For at least the reason that claim 2 was deemed allowable, the anticipation rejection of claim 1 by King-DeBaun should be withdrawn. Applicant respectfully requests reconsideration and withdrawal of the claim rejection.

B. Claims 4, 5, and 11

The Applicant respectfully submits that since claims 4, 5, and 11 depend on independent claim 1, claims 4, 5, and 11 contain all limitations of independent claim 1. Since independent claim 1 should be allowed, as argued herein, pending dependent claims 4, 5, and 11 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

C. Claim 12

Independent claim 12 reads:

A keycap for use with an overlay having a plurality of indicia and a keyboard having a plurality of activation keys, said keycap comprising:

at least **one engagement member, for removably engaging said keycap to at least one of said plurality of activation keys;**

at least a first support structure having a first and a

second surface, and being disposed above a top surface of said engagement member, said first support structure being larger than at least one of said activation keys; and

at least one attachment member, for removably attaching said overlay proximate to a first surface of said first support structure.

(Emphasis Added)

Applicant respectfully submits that the reference King-DeBaun fails to disclose all elements of the rejected claim for at least the reasons that follow. Specifically, King-DeBaun fails to disclose the above-emphasized elements of claim 12. The engagement member of Applicant's claim 1 removably engages the keycap to the activation key. King-DeBaun's elastic band (Element 16 of King-DeBaun) engages the cover assembly 11 to the computer keyboard 12, not the activation key. In the Office Action dated 9/23/04, the Examiner acknowledges the elastic band "removably engaging the cover to the keyboard" (page 2, first paragraph of section 2). King-DeBaun does not disclose Applicant's claimed invention. Applicant respectfully requests reconsideration and withdrawal of the claim rejection.

D. Claims 13 and 19

The Applicant respectfully submits that since claims 13 and

19 depend on independent claim 12, claims 13 and 19 contain all limitations of independent claim 12. Since independent claim 12 should be allowed, as argued herein, pending dependent claims 13 and 19 should be allowed as a matter of law for at least this reason. In re Fine, 5 U.S.P.Q.2d 1596, 1608 (Fed. Cir. 1988).

II. Response to claim rejections based on obviousness

In the Office Action, claim 1 has been preliminarily rejected as obvious under 35 U.S.C. § 103. Specifically claim 1 has been rejected under 35 U.S.C. § 103 by U.S. Patent No. 5,757,292 to Amro et al. (hereinafter, "Amro") in view of U.S. Patent No. 6,059,575 to Murphy (hereinafter, "Murphy").

A. Claim 1

Amended claim 1 now includes elements of dependent claim 2. Claim 2 was deemed contain allowable subject matter by the Examiner in the Office Action dated 9/23/04. For at least the reason that claim 2 was deemed allowable, the obviousness rejection of claim 1 by Armo in view of Murphy should be withdrawn. Applicant respectfully requests reconsideration and withdrawal of the claim rejection.

III. Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.


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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and rejections have been traversed, rendered moot and/or accommodated, and that presently pending claims 1 and 3-29 are in condition for allowance. Favorable reconsideration and allowance of the present application and the presently pending claims are hereby courteously requested. The examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

Respectfully submitted,

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